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CONSIDERATION OF REPORTS SUBMITTED BY STATES PARTIES
UNDER ARTICLE 18 OF THE CONVENTION

Initial reports of States parties

ROMANIA

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I

(a) The Socialist Republic of Romania ratified the Convention on the Elimination of All Forms of Discrimination against Women by Decree No. 342/1981.

In Romanian socialist society the exploitation of man by man has been eliminated. There is at present a perfect unity of interests between the individual and society, since the obstacles to the promotion of full equality between citizens have been removed. As a result, all discrimination against women, who are equal in rights with men, has disappeared.

The full equality of rights between men and women in all fields of economic, political, legal, social and cultural life is enshrined without reservation both in the country's Constitution and in all Romanian legislation, which also provides effective guarantees for the exercise of equality of rights.

Article 23 of the Constitution, adopted by the Great National Assembly on 21 August 1965, affirms the principle that "in the Socialist Republic of Romania women enjoy the same rights as men".

In Romania, the exercise of full equality of rights for women and men is an integral part of the overall policy of the State. In accordance with this idea, equality is regarded as implying concrete and ongoing action aimed at guaranteeing both civil and political rights and economic, social and cultural rights, living conditions and conditions of work, free access to education and science, and equal opportunities in all fields of life.

In order to ensure full equality between the sexes, the country's Constitution and other laws contain both legal and material guarantees, as reflected in the annual and five-year economic and social development plans, in the major development programmes in various sectors of activity, in the State budget, in the continuing growth in the direct and social incomes of the citizens and their standard of living, and in the improved standard of work and quality of life.

(b) In accordance with the concept of the Convention and its provisions in Article 2, equality between the sexes is guaranteed by the domestic legislation of the States Parties.

Before the ratification of the Convention by the State Council, a detailed comparison of its texts with the provisions of the Constitution and those of domestic legislation was accordingly carried out in Romania. This has led to the conclusion that the regulations contained in the Convention were already in accordance with domestic legislation. The provisions of the Convention are taken into account in the drafting of new normative acts. For practical purposes, following the ratification of the Convention on the Elimination of All Forms of Discrimination against Women, the provisions of that Convention have been incorporated in Romania's domestic legislation.

(c) In Romanian society, where women have acquired a new social, political and legal status, the guarantee, by the organs of the State and the mass and social organizations, of full equality between women and men is subject to continuing scrutiny and control by the bodies established by law.

Apart from the means of redress and control generally recognized in other legal systems (the right to legal redress in the case of acts which infringe perfect equality of rights and acts which give rise to prejudice, and the safeguarding of legality through administrative channels), there are various other forms of safeguards: the overall supervision of the application of the

Constitution exercised by the Grand National Assembly (Article 43, section 14), the supervision of the application of the laws and decisions of the Grand National Assembly exercised by the State Council (Article 64, section 6), the supervision of the activities of the Council of Ministers, ministries and other central administrative bodies of the State and the activities of the Public Prosecutor's Office exercised by the Grand National Assembly and the State Council, the supervision exercised over the decisions of the people's councils (local organs of the State administration), the supervision of legality exercised by the Public Prosecutor's Office over the activities of the State administrative organs, and the system of investigation of petitions under Law No. 1/1978, aimed at securing, through wide-ranging control, prompt settlement of complaints against acts contrary to law which would infringe their rights.

In respect of labour, the bodies responsible for ensuring observance of equality between women and men are the bodies responsible for labour law: the adjudication commissions and the courts, the supervisory and co-ordination bodies of the Ministry of Labour, the departmental directorates of labour and social assistance and the State Inspectorate for Labour Protection, as well as non-governmental bodies - the trade unions and women's commissions.

(d) The exercise of the rights conferred on women, and the guarantee of their participation and promotion in all fields, including labour, are taken into account by all the competent bodies in the preparation of draft normative acts, and in the adoption by the competent State organs of measures reflecting, in the form of policy decisions, greater participation by women in social life, the guarantee of appropriate employment, the promotion of women in all spheres of activity and to all State appointments to the highest level, so that their representation is commensurate with the importance and number of women.

In order to promote women within an ever-widening range of occupations and professions, to increase their participation in the activities of enterprises and institutions, and to increase their contribution in all aspects of economic and social life, a programme of organizational and socio-cultural measures has been drawn up at national level for the period 1981-1985 and beyond.

Under this programme, the Ministries and other central State and social organs have prepared, with the aim of utilizing the female workforce, their own programmes of specific measures, according to their fields of activity, in conditions of growing effectiveness, by means of the following:

Better organization of production and labour, the development of small-scale industry, and at-home work;

Improved departmental norms of labour protection for women, in conjunction with new technological processes;

The adoption of adequate medical assistance measures for the protection of health and the preservation of the working capacity of the female workforce and for the monitoring of pregnant women and recent mothers;

More hostels for young women workers; the development of crèches and kindergartens and the adoption of other measures to increase the time available to working women outside their working day;

The selection and promotion of a growing number of women at work to responsible positions, particularly in those branches, sectors and units in which many women are working: light industry, the electronics industry, electrical engineering, retail trade, telecommunications, health protection, teaching, science and culture.

The creation of growing opportunities of access of women to a wide range of occupations and professions is taking place at all stages of planning of training and employment of staff, through a judicious division of labour by sex.

With that aim in mind, priority is being given to girls in training for certain occupations and professions, and specific jobs are reserved for them.

In the context of vocational guidance for the female workforce, an important role is played by the list of vocations, special skills and functions which can be occupied by women particularly. As production becomes more highly technical and conditions of work improve, this list is supplemented by new jobs open to women. As part of their functions, the vocational guidance offices take into account specialized skills in placing women workers in jobs.

Implementation of the aims of the programmes prepared has led in recent years to a constant increase in the number of women recruited or promoted to responsible posts in all sorts of units: this policy is firmly applied.

Women represent almost 40 per cent of the workforce, i.e. more than 3 million, as against only 1 million 20 years ago.

The number of women employed in various sectors of economic activity has increased from one year to the next: in industry, from 26.5 per cent (1965) to 41.5 per cent (1984); in commerce, from 40 per cent (1965) to 65 per cent (1984). In agriculture, women make up 60 per cent of the workforce. In 1984, women represented 87 per cent of workers in the ready-made clothing industry, 74 per cent in the textile industry, 50 per cent in electronics, 40 per cent in the chemical industry, and 30 per cent in mechanical engineering; some 200,000 women are working in teaching; more than 16,000 women participate in the workers' councils (management bodies of economic and social units) and more than 22,000 women belong to the management councils of the agricultural production co-operatives; about 5,000 occupy managerial posts in industrial enterprises or plants or other senior posts in these units.

(e) Since, after its ratification, the Convention forms part of domestic legislation, its provisions can be invoked before the organs of justice and the administrative authorities. Like any other legal provision in force, the provisions of the Convention do not require further incorporation in domestic laws and regulations in order to be taken into account at the legal level by the competent authorities.

In view of the fact that the provisions of the Convention coincide fully with those of Romanian legislation, and in view also of the determining role of the State, through legal norms, in the question of the exercise of full equality between the sexes, and also in view of the fact that the provisions of Romanian law affirm the principle of equality between men and women, the rights and freedoms enjoyed by women without discrimination, exclusions or restrictions in all areas of life are invoked before the Romanian authorities whenever necessary.

This is also explained by the fact that, in view of the actual situation in Romania and the domestic legal framework regarding the question of equality between women and men, which go beyond the minimum standard of rights and freedoms provided by the Convention, the invocation of its provisions before the administrative authorities would not in every case ensure complete satisfaction to the litigant parties. It is therefore sufficient to invoke the provisions of Romanian law.

II

(a) The country's constitutional legal framework ensures complete equality of citizens in all fields of economic, political, social and cultural life without discrimination.

For example, Article 17 of the Constitution of the Socialist Republic of Romania, as currently enforced, provides that "no limitation of these rights and no discrimination as to their exercise according to nationality, race, sex or religion shall be permitted".

Furthermore, Article 18 of the Constitution states that "every citizen has the opportunity to engage, according to his training, in an activity in the economic, administrative, social or cultural fields which shall be remunerated in accordance with its quality and quantity; equal work for equal pay".

The guarantee of the right to work for each citizen is reflected in article 2 of the Labour Code, by which "all citizens, without discrimination or differentiation according to sex, etc. shall be guaranteed the right to work, the opportunity to engage in an activity in all economic, technical and scientific, social or cultural fields, according to aptitude, vocational training and aspiration, and in accordance with the needs of society".

Article 14 of the Labour Code establishes that "women are guaranteed ample opportunities for self-fulfilment, in conditions of full social equality with men, since they enjoy equal remuneration, and special measures of protection, for work equal to that of men. Women benefit from the guaranteed right to occupy any post or job, in accordance with their training, in order to make their contribution to the development of material production and intellectual creativity, while at the same time they are offered the necessary conditions for raising and educating their children".

Under article 8 of the Labour Code and article 1 of Law No. 5/1978 on the organization and management of socialist units, women, upon recruitment to these units, become members enjoying full rights of the collective of the unit concerned and participate in the life of the unit in accordance with this status. They may be elected without any restriction to the collective management bodies of that unit, in which adequate representation of women is guaranteed.

The recruitment and distribution of the labour force are regulated by Law No. 24/1976. Under this law, as indeed in all labour legislation, women have the same job opportunities, and the same criteria for selection are applied as in the case of men. They have the right freely to choose their employment, and contracts of work with the units are drawn up solely on the basis of their consent. The same right is stipulated in article 2 of Law No. 12/1971 on recruitment and promotion in employment in State socialist units.

The prohibition of all forms of discrimination against women, even in respect of recruitment, is also affirmed by criminal law. Under article 247 of the Penal Code, "limitation by an official of the status or exercise of the rights of a citizen, or the imposition upon that citizen of an inferior status because of nationality, race, sex or religion, shall be punished by a prison sentence of between six months and five years".

Pursuant to article 151 of the Labour Code, "in the Socialist Republic of Romania a high value is attached to the work of women, and they are guaranteed the right to occupy any post and any employment, according to their training and competence; at the same time, conditions favourable to all aspects of their personal development will be offered. In remuneration for the work performed by women, the principle "equal pay for equal work" shall be applicable".

The right to remuneration equal to that of men is enshrined in the Constitution (Article 18), the Labour Code (article 151) and in Law No. 57/1974 on remuneration according to the quantity and quality of work. In the preamble to this Law on remuneration it is stated that "in all spheres of activity, each worker shall be remunerated according to the quantity, quality and social importance of his/her work, in accordance with the principle of equal remuneration for equal work".

In addition, in 1957 the Socialist Republic of Romania ratified the ILO Convention Concerning Equal Remuneration for Men and Women for Work of Equal Value, and the provisions of that Convention are adhered to both in current legislative activity and in the application of labour legislation: the periodic reports submitted to ILO are convincing proof of this.

Security of employment is guaranteed by the fact that, under the Labour Code (article 130), the unit may not cancel the contract of work except in cases specified expressly and restrictively. Furthermore, article 46 of the Labour Code prohibits the cancellation of a contract of work on the initiative of the unit during temporary incapacity for work for which social assistance benefits are granted, on grounds of pregnancy, during maternity leave and the period of nursing, during the period of looking after children up to the age of three years and during the military service of the spouse; the exceptions to this are expressly stipulated by law.

In the field of social insurance, the law guarantees employed women the right to a retirement pension and to material benefits in the event of sickness, maternity, and the sickness of a child up to the age of three years.

Under Law No. 3/1977, which deals with State social insurance and social assistance pensions, women have the right to a retirement pension for the work they have performed, and there is a minimum age for voluntary retirement at 55 years for at least 25 years of service (for men the minimum age for voluntary retirement is 60 after at least 30 years of service). At the request of the unit, women may be retired at 57 years, with at least 25 years of service (while for men, retirement at the request of the unit takes place at the age of 62, for at least 30 years of service).

In calculating length of service, the period in which a woman worked part-time in order to bring up her children to the age of six years counts as a period of full-time work.

For women who have had at least three children which they have brought up to the age of 10 years, the retirement age is reduced by one to three years, according to the number of children.

Employed women who take time off from work to bring up their children are supported by the provisions of Law No. 1/1970, which regulates the continuous period of service in work (by which the quota for benefits granted under the social insurance system is fixed) and the continuous period of service in the same unit (on the basis of which the length-of-service supplement is added to the rate of pay).

Under the provisions of this Law, a woman who interrupts her employment to bring up her children to the age of seven years benefits from continuous length of service in the same unit if she resumes work in that unit (or in another unit, if the previous unit consents).

Under Law No. 26/1967, women enjoy the right to paid leave, based on the total length of service at work, and supplementary leave for work in special conditions (injurious, difficult or dangerous), on the same conditions as men; at the request of the employed woman, the paid leave may be granted before maternity leave or as an extension of maternity leave.

As regards health, Law No. 3/1978 on health protection for the population states in article 2 that "the State guarantees the entire population protection and strengthening of health, without distinction as to nationality, race, sex or religion, as well as free medical assistance under conditions stipulated by law".

Pursuant to decision No. 880/1965 of the Council of Ministers and the Central Trade Union Council, employed women enjoy material benefits within the State social insurance system under the same conditions as all personnel working under a contract of employment.

The benefits are granted for temporary incapacity for work, the prevention of illness, recuperation and strengthening of health, for maternity, and in the event of death.

Paid maternity leave is 112 days, of which 52 are before the birth and 60 after it.

While at work, women have the right to break-periods to feed the baby up to the age of nine months (one year for prematurely born or dystrophic infants, etc.). These breaks, of one half hour for three hours of work at maximum, are not deducted from length of service at work; at the request of the woman, the breaks can be replaced by a reduction of two hours in the normal working day (article 156 of the Labour Code).

Employed women benefit from special health protection measures.

The Labour Code (article 152) prohibits the employment of pregnant women and nursing mothers in jobs which are injurious, difficult, or dangerous, or if a doctor so advises; they may not be asked to work overtime; women in the above-mentioned situations are transferred to other jobs without reduction in their pay.

Night work in industrial units is prohibited for women; it is only permitted in specific situations in production sectors specified by the Council of Ministers, by agreement with the Central Council of Trade Unions, and in the cases specified under the terms of the relevant ILO Convention (article 153 of the Labour Code).

Working mothers are assisted by the State, which has developed, both in urban and in rural areas, a network of crèches and kindergartens which ensures that children are looked after in good conditions while their mothers are working in the units where they are employed.

With respect to legislation and the general policy regarding education, since 1975 a number of normative acts on education have entered into force in the Socialist Republic of Romania. Education is called upon to guarantee equality of opportunity for girls and women in all fields and at all levels of education, including:

(1) State Council Decree No. 54/1975 on the job-placement of graduates of daytime courses at higher educational institutions contains provisions guaranteeing equal opportunities to girls and women who have graduated from higher educational institutions in respect of job-placement under the same conditions as all graduates, according to their specialization.

(2) The Law on Education and Teaching No. 28/1978 published in the Official Bulletin, Part I, No. 113/26 March 1978 expressly affirms, in article 2, the right to instruction of all citizens of the Socialist Republic of Romania, without distinction as to nationality, race, sex or religion and without any other restriction which could constitute discrimination.

Every citizen, without distinction as to sex, is guaranteed access to all levels and all forms of education, to free studies at all levels and free textbooks for primary, secondary, high-school and technical-college education. Those graduating from one form of education also have the opportunity to pursue their studies at higher levels, whether they are boys or girls.

Education in the Socialist Republic of Romania is provided by the State: it is a unified system, provided without payment, with an obligatory duration of 10 years. During the school year 1985/1986, the number of pupils in the first to fourth classes was 1,538,012, of whom 749,991 were girls, while the number of pupils in the fifth to eighth classes was 1,492,654, of whom 726,512 were girls, and the number of pupils in the ninth to twelfth (thirteenth) classes was 1,226,927, of whom 623,425 were girls.

In the technical colleges, the ratio between girls and boys is a function of the specialization and vocation chosen. In the technical colleges for health-care, teaching, light industry, economics and public nutrition, the number of girls exceeds that of boys. However, in the technical colleges for metalworking, building and engineering, the number of girls is lower than that of boys. In the technical colleges for mining, petroleum and nautical studies, girls are not admitted.

In the university year 1985/1986, the number of students was 159,798, including 71,658 girls.

As regards the number of teachers throughout the educational network in our country, the situation during the academic year 1985/1986 was as follows: pre-school teaching - 33,522 staff, all of them women; primary and secondary teaching - 142,981 staff, of whom 102,222 were women; technical colleges - 37,728 staff, including 21,959 women; vocational education - 1,053 staff, of whom 508 were women; schools for training in shop-floor supervision - 115 staff, of whom 25 were women; higher education - 12,961 staff, of whom 3,758 were women.

Electoral Law No. 67/1974 of the Socialist Republic of Romania states in article 2 that "the election of deputies to the Grand National Assembly and to the popular councils is based on the full equality of rights of citizens, without distinction as to race, nationality, sex or religion". At present, some 40 per cent of the deputies to the popular councils, and one third of the deputies elected to the Grand National Assembly, are women.

III

The following are the provisions of Romanian legislation in force which relate to certain articles of the Convention.

Article 2 of the Convention

As indicated above, the country's Constitution and the existing regulations in various branches of Romanian law contain numerous and wide-ranging provisions affirming the full equality of rights between women and men. In that connection, Law No. 58/1968 on judicial organization provides in article 7 that "justice in the Socialist Republic of Romania is applied equally to all persons", both women and men.

Under the existing legislative framework, women and men have the right to apply freely and without hindrance to administrative bodies, courts and other tribunals in order to defend their rights and interests, benefiting at the same time and in equal measure from all the means of protection provided by law, without any form of discrimination.

Under article 2, paragraph 3, of Law No. 58/1968 on judicial organization, "the courts render judgement on the claims of persons whose rights have been infringed by administrative acts, and may pronounce, under the conditions specified by law, on the legality of those acts".

Article 34 of the Constitution of the Socialist Republic of Romania states that "the right of petition is guaranteed. State organs are obliged to settle claims by citizens in respect of personal or public rights or interests".

This provision is reflected in Law No. 1/1978 on the settlement of proposals, suggestions, claims and requests by workers.

Under article 2 of Law No. 1/1978, workers (both women and men) have the right to apply to Party and State organs, and to socialist units and civic organizations, in connection with any problem relating to their personal interests, and to request an explanation and settlement in accordance with the legal provisions. Workers also have the right and duty to inform the competent Party and State organs, and the civic organizations, of any problem of general concern relating to the improvement of economic and social activity, the protection and development of social property, the strengthening of legality, order and discipline, the maintenance of socialist ethics and justice in every aspect of social life, overcoming of red tape, and elimination of gaps and deficiencies, violations of regulations and malpractices at work.

Article 6 of the same Law states that no person who has submitted verbal or written information in good faith to the Party, State or civic organizations can be held responsible for that information. Any act involving persecution of persons who have submitted such information is punishable by law.

It should be noted that there is no legal provision discriminating against women in civil or criminal matters.

Article 6 of the Convention

The Penal Code of the Socialist Republic of Romania, as adopted by the Grand National Assembly at its meeting on 21 June 1968, makes the practice of prostitution, traffic in women and exploitation of the prostitution of women indictable and punishable offences.

The practice of prostitution is penalized by the Penal Code in article 328, which states: "the act of a person who procures the means of subsistence by engaging for that purpose in sexual relations with various persons is punishable by imprisonment for between three months and three years".

Article 329 of the Penal Code penalizes the criminal act of procuring, stipulating that "incitement to prostitution, forced prostitution, acts facilitating the practice of prostitution, the obtaining of benefits from the practice of prostitution, the procuring of a person for prostitution or the traffic in persons for that purpose, are offences punishable by imprisonment for one to five years and deprivation of certain rights".

"If the act provided for in paragraph 1 is committed against a minor, or is of a more serious character, the sentence of imprisonment is for three to ten years, accompanied by deprivation of certain rights. The attempt to commit that act is also punishable".

Articles 7 and 8 of the Convention

Apart from the right of association in trade union organizations, scientific, technical and sporting associations, etc., women have the right to form women's organizations. The women's movement in Romania, whose highest forum is the National Conference of Women, is the organizational framework for the participation of women in guiding society. The women's movement belongs to the Front for Socialist Democracy and Unity.

The body which looks after and co-ordinates the activity of the women's committees and commissions between the national women's conferences is the National Women's Council. Its president is a member of the Council of Ministers.

Article 9 of the Convention

Law No. 24/1971 states in article 4 that the conclusion of a marriage between a Romanian citizen and a foreign citizen does not affect the citizenship of the spouses.

A change of citizenship by one of the spouses does not affect the Romanian citizenship of the other spouse.

A declaration of nullity, annulment or dissolution of a marriage does not affect the citizenship of a spouse who has acquired Romanian citizenship during the marriage.

Articles 7-9 of the same Law, which relate to the acquisition of citizenship by birth, repatriation and adoption, accord women the same rights as those of men with respect to the citizenship of their children.

Article 14 of the Convention

Legislation in force makes no discrimination in respect of equality between women and men as regards rural areas. Council of State Decree No. 93/1983, on the status of agricultural production co-operatives, affirms, in article 10, the rights of members of the co-operative without distinction as to sex. Law No. 4/1977 draws a distinction between the sexes in respect of the age and length-of-service requirements for the granting of retirement pensions for work performed, the age-limit and disability pension: in this case the conditions are more favourable to women.

Article 15 of the Convention

Full equality before the law between men and women is also to be found in civil matters in the Socialist Republic of Romania. Women are recognized as having the same rights as men from the point of view of legal capacity - as regards both capacity of status and capacity of exercise.

Article 4 of Decree No. 31/1954, which relates to physical and legal persons, states that:

"Civil capacity is recognized in respect of all persons.

"Sex, race, nationality, religion, level of culture, or origin do not affect capacity".

Civil legal capacity consists of the capacity of status and the capacity of exercise.

While capacity of status, which commences with birth, is the capacity of men and women to have rights and obligations (article 5 of Decree No. 31/1954), capacity of exercise commences at the age of 18 years, when the person attains majority. The capacity of exercise is the capacity of the person to exercise his/her rights and to assume obligations by performing legal acts (article 5, paragraph 3, and article 8, paragraphs 1 and 2, of the same Decree).

In order to ensure equality of women and men in marriage without restriction, article 8 of Decree No. 31/1954 (which derogates from the rule that majority is attained when full capacity of exercise is acquired) affirms that a female minor of 15 or 16 years of age who marries acquires, with the marriage and as a result of the marriage, full capacity of exercise, and may thus exercise her civil rights and assume civil obligations in so far as she may enter into, personally and in her own right, juridical civil acts without the requirement of anyone's prior consent.

Equality between women and men as regards capacity of exercise is therefore not merely stated, but actually guaranteed, even at the juridical level. For example, the Constitution states in Article 13 that the Romanian Socialist State "guarantees its citizens the free exercise of rights"; Article 17, paragraph 2, states, inter alia, that "no limitation of these rights and no difference as to their exercise on the grounds of nationality, race, sex or religion shall be permitted".

As a further expression of the perfect equality of women and men before the law, article 6 of Decree No. 31/1954 provides that "no one (woman or man) may renounce, whether wholly or in part, the capacity of status or the capacity of exercise. Accordingly, any civil legal act which would tend in any way to limit a woman's legal capacity by infringing the provisions of the law which affirm the perfect equality of women and men shall be deemed null and void".

By virtue of their equality with men before the law and their juridical capacity, women may enter, on a personal and consensual basis, into juridical acts, including contracts; they may administer, purchase and dispose of property, benefiting from the same treatment as men in all stages of judicial procedure and under the conditions of the law.

In addition, article 7 of Law No. 58/1968 on the organization of the judiciary states that: "justice in the Socialist Republic of Romania is applied under equal conditions to all persons".

A further expression of the exercise of equality between women and men is to be found in the provisions of Romanian law on the right of persons, without distinction as to sex, to freedom of movement and the choice of domicile or residence.

Article 13 of Decree No. 31/1954 says that "the domicile of a physical person (woman or man) is where that person has his/her permanent or principal dwelling.

"The domicile of a person, whether woman or man, shall enjoy equal legal protection".

Article 16 of the Convention

While affirming that "in the Socialist Republic of Romania women have rights equal to those of men", Article 23 of the Constitution adds that "the State shall protect marriage and the family and defend the interests of the mother and child". These provisions of the fundamental law are to be found in an expanded form in the Family Code, which establishes the following norms as the basis of the family:

The family is based on a marriage to which the spouses freely consent (article 1, paragraph 3);

The marriage is concluded by virtue of the consent of the future spouses, who shall present themselves together before the official of the registry office at the principal registry office, in order to give their consent publicly and in person (article 16, paragraph 2);

A man may marry only if he has attained the age of 18 years, and a woman only if she is 16 years of age or above;

If there are good grounds, and with the authorization of the body established by law and on the basis of an opinion furnished by an official doctor, a woman of 15 years may be permitted to marry (article 4);

When the marriage is being concluded, the future spouses must state, before the official of the registry office, the name which they have jointly decided to bear during the marriage. The spouses may retain their previous names, or may take the name of either spouse, or bear both their names (article 27);

The official of the registry office, on receiving the consent of the future spouses, shall promptly enter the certificate of marriage in the register, signed by the spouses and the official (article 17);

A marriage can only be proven by a marriage certificate furnished on the basis of the certificate entered in the registry (article 18);

The man and the woman have equal rights and obligations during the marriage (article 25);

The spouses shall jointly decide in all matters relating to the marriage (article 26);

Each spouse is obliged to contribute, to the extent of his/her means, to the costs of maintaining the household (article 29);

Property acquired during the marriage by either of the spouses shall be deemed, from the date of its acquisition, to be the joint property of the spouses (article 30);

The spouses shall administer and utilize together their joint property and dispose of it in the same way. Either of the spouses, when exercising these rights as an individual, shall be considered to have the consent of the other spouse. However, neither of the spouses may alienate or mortgage land or a structure which constitutes part of the joint property without the express consent of the other spouse (article 35).

The movable or immovable property of either of the spouses may be legally alienated by that spouse by means of legal acts against consideration or gratuitously, without the requirement of the consent of the other spouse.

The rights and duties of the parties to children who are minors are mainly regulated by the following norms of the Family Code:

The two spouses have the same rights and duties towards their relatives who are minors, without distinction, whether they are the offspring of the marriage, or whether they are born outside of wedlock or adopted. They shall exercise their rights as parents solely in the interests of the children (article 97);

Measures relating to the person and property of the children shall be decided jointly by the parents (article 98);

The marriage may be dissolved, in exceptional cases, by divorce, at the request of one of the spouses, if there are good grounds, and taking into account the interests of the children who are minors.

A court may not dissolve a marriage through divorce unless, upon good grounds, the relations between the spouses are seriously and irretrievably affected and life in the household is held to be evidently impossible by the party requesting the dissolution (article 36);

In giving a judgement of divorce, the court must decide to which of the two spouses the children who are minors shall be entrusted (article 42, paragraph 1) and determine the contribution of each parent to the costs entailed in the upbringing, education, instruction and vocational training of the children (article 42, paragraph 3).

A divorced parent who is given custody of a child has parental rights in respect of that child (article 43, paragraph 1), but the other parent retains the right to personal access to the child, and to responsibility for the child's education, instruction and vocational training (article 43, last paragraph).

When a marriage is dissolved, the joint property is shared between the spouses, as agreed between them. If the spouses cannot agree on the sharing of the joint property, it is up to the court to decide (article 36, paragraph 1).

Equality of rights is expressed in the fact that both women and men may act as guardians and trustees, and may adopt children, under the provisions of the Family Code. Adoption is regulated by articles 66-85 of the Family Code, trusteeship by articles 113-141, and guardianship by articles 152-157 of the same Code.